



भारत का राजपत्र The Gazette of India

प्रस्तावधारण

EXTRAORDINARY

भाग II—खण्ड 2

PART II—Section 2

आधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 17]

नई दिल्ली, शुक्रवार, अप्रैल 19, 1974/चैत्र 29, 1896

No. 17]

NEW DELHI, FRIDAY, APRIL 19, 1974/CHAITRA 29, 1896

इस भाग में निम्न वस्तु संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 19th April, 1974:—

BILL No. 90 OF 1973

A Bill to provide for the re-employment of retired Army soldiers in the various forces constituted and maintained by the Central and the State Governments.

Be it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Retired Army Soldiers Re-employment Act, 1973. Short title.

2. (1) Every retired Army soldier (Jawan) shall be given employment as far as possible, in the Territorial Army or the Border Security Force or the Central Reserve Police Force constituted and maintained by the Central Government, or the Railway Protection Force, or in the armed police force, such as the Provincial Armed Constabulary or by whatever name such force is called, constituted and maintained by the Central Government or the State Governments in the Union territories or the States respectively, as a soldier or other higher rank for which he may be considered suitable, subject to his physical fitness as required for the force in which he is given employment: Employment of retired Army soldiers in Territorial Army, etc. and reservation of vacancies

Provided that at least twenty-five per cent. of the vacancies of soldiers and ten per cent. of the vacancies of higher ranks in a force shall be reserved for the retired Army soldiers in addition to their eligibility for appointment to the rest of the vacancies.

(2) In case the required number of retired Army soldiers are not available for appointment against the reserved vacancies, in any one year, the rest of the reserved vacancies shall be carried over to the next one year in addition to the reserved vacancies for that next year:

Provided that if the carried over vacancies remain vacant at the end of the next one year, for want of required number of retired Army soldiers, such vacancies shall be treated as unreserved thereafter.

Age concession for enrolment in a force.

3. (1) For employment under section 2, where the maximum age limit for enrolment in a force is below the age of retirement of a soldier in the Army, the retired soldier shall be eligible for five years from the date of his retirement from the Army for enrolment in that force.

(2) Where the maximum age limit for enrolment in a force is above the age of retirement in the Army, the retired soldier shall be entitled to an age concession of three years.

Army soldier to be subject to the Act governing the force.

4. Every retired Army soldier, who is employed in a force under section 2, shall be subject to the provisions of the Act under which that force had been constituted and is maintained.

STATEMENT OF OBJECTS AND REASONS

Thousands of Jawans retire from the Army every year at the middle age of 35 years. After retirement they find themselves unsettled after serving the country in the capacity of a soldier. They are left at the mercy of a meagre pension hardly enough for their subsistence. At that age, the scope for their re-employment in other fields is very limited as they are not trained in any trade nor they have the capital to start at least a small-scale business of their own. Not many of them have the land to fall back upon. At that age even their children are not grown up. Rather, their financial requirements increase with the growing children, for their bringing up, their education and marriage, etc. In these circumstances, the retired soldiers find themselves confused and dejected. It is, therefore, very essential that these trained and disciplined retired soldiers who are always an asset to the nation are given some gainful employment in other various forces constituted and maintained by the Centre and the States. This will benefit both the retired soldiers and the country. The soldiers shall find a suitable employment to support their families while the various forces like the Border Security Force, the Central Reserve Police Force, the Territorial Army and other forces like Provincial Armed Constabulary maintained by the States will find already trained personnel, rather with a superior training and active duty experience. The Army soldiers by virtue of their special training are better disciplined. The proposed legislation, therefore, provides for their re-employment in other forces maintained in the country.

NEW DELHI;
The 17th October, 1973.

VISHWANATH PRATAP SINGH

BILL No. 8 OF 1974

A Bill further to amend the Prevention of Food Adulteration Act, 1954

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Prevention of Food Adulteration (Amendment) Act, 1974.

Insertion
of new
sec-
tions

4A, 4B, 4C
and 4D.

Com-
mittee to
review
adminis-
tration of
Act and
to appoint
sub-com-
mittees.

Com-
mittee
and sub-
com-
mittees
to submit
report
annually.

2. After section 4 of the Prevention of Food Adulteration Act, 1954 ~~37 of 1954~~ (hereinafter referred to as the principal Act), the following new sections shall be inserted, namely:—

“4A. The Committee shall constantly review the administration and implementation of this Act throughout the country and for that purpose shall appoint sub-committees for food standards in every State and Union territory in consultation with the Government of the State or the Union territory, as the case may be.

4B. The Committee shall submit a report at the end of each year to the Central Government and each sub-committee shall submit the report at the end of each year to the Committee and a copy thereof shall also be submitted to the respective Government of the State or the Union territory, as the case may be.

4C. The annual report of the Committee shall be laid before Parliament and the annual reports of the sub-committees shall be laid before Parliament as well as before the respective State Legislatures, as soon as possible after they are submitted to the Central Government or the Government of the State or the Union territory, as the case may be.

Annual reports of Committee and sub-committees to be laid before Parliament, etc.

4D. For every district in the country, there shall be established a well equipped Food Laboratory, to be called the District Food Laboratory, by the Central Government or the State Government as the case may be."

Establishment of District Food Laboratories.

3. After section 7 of the principal Act, the following new section shall be inserted, namely:—

Insertion of new section 7A.

"7A. Every manufacturer of an article of food, whose annual production is above a minimum limit to be prescribed by the Government, shall obtain a certificate of a particular standard of such article from the Indian Standard Institute and shall pack the article of food in a manner approved by the Indian Standard Institute for that article."

Certificate from Indian Standard Institute and approved manner of packing.

4. Section 8 of the principal Act shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

Amendment of section 8.

"(2) The public analyst shall analyse or test the samples of articles of food, submitted to him, at the District Food Laboratory."

5. In section 9 of the principal Act, after sub-section (1) the following sub-section shall be inserted, namely:—

Amendment of section 9.

"(1A) The Central Government or the State Government as the case may be, shall appoint adequate number of food inspectors so as to cover each local area effectively."

6. After section 10 of the principal Act, the following new section shall be inserted, namely:—

Insertion of new section 10A.

"10A. (1) Every food inspector shall submit at the end of every month a statement of the samples of food taken by him and the stage of action taken thereon to the chief officer in charge of Health administration in the district who shall prepare a consolidated statement and submit the same with his own remarks to the Food Authority.

Statement of food samples and action taken thereon.

(2) The Food Authority shall prepare a monthly consolidated statement for the State and submit the same, with his own remarks, to the State sub-committee constituted under section 4A and a copy thereof shall be sent to the Central Committee."

Amend-
ment of
section
16.

7. In section 16 of the principal Act,—

(a) sub-sections (1) and (1A) shall be renumbered as (1A) and (1AA) respectively, and before section (1A) as so renumbered, the following new sub-section shall be inserted, namely:—

“(1) If any person whether by himself or by any other person on his behalf imports into India or manufactures for sale any article of food which is adulterated or misbranded or the sale of which is prohibited by the Food (Health) authority in the interest of public health and the consumption of which is likely to result in death or permanent disablement, he shall be punished with death or with imprisonment for life.”;

(b) in sub-section (1A) as so renumbered,—

(i) for the words “six months but which may extend to six years, and with fine which shall not be less than one thousand rupees”, the words “three years but which may extend to ten years, and with fine which shall not be less than five thousand rupees” shall be substituted;

(ii) in the proviso, for the words “six months or of fine of less than one thousand rupees or of both imprisonment for a term of less than six months and fine of less than one thousand rupees”, the words “three years and of fine of less than five thousand rupees, but the sentence of imprisonment shall not be less than one year and of fine shall not be less than one thousand rupees” shall be substituted.

Insertion
of new
section
16A.

8. After section 16 of the principal Act, the following new section shall be inserted, namely:—

Offenders
to be
given
publicity.

“16A. If a person or firm or a company is found to be guilty for any offence under this Act, the name of such person, firm or company shall be given wide publicity over radio, television, newspapers, etc., highlighting the offence committed.”

Amend-
ment of
section
19.

9. In section 19 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) Where under sub-section (2), a vendor is found not to have committed an offence pertaining to the sale of any adulterated or misbranded article of food or where the adulterated article bears an Indian Standard Institute certificate and it is proved that the vendor sold it in the same state as he purchased it, the court shall proceed against the manufacturer, distributor or dealer of such adulterated article of food as though a prosecution had been instituted against him under section 20.”.

10. In section 20 of the principal Act,—

(a) in sub-section (1),—

(i) before the existing proviso, the following proviso shall be inserted, namely:—

“Provided that where the consent for prosecution is withheld, the reasons for withholding the consent shall be recorded in writing:”;

(ii) in the existing proviso, after the word “Provided”, the word “further” shall be inserted;

(b) sub-section (2) shall be omitted.

11. After section 20A of the principal Act, the following new section shall be inserted, namely:—

“20B. (1) The Central Government or the State Government, as the case may be, shall appoint adequate number of magistrates, with special training for dealing cases of food adulteration and empowered to pass any sentence authorised by this Act, for trying any offence under this Act.

(2) The courts shall dispose of the cases, as far as possible, within a period of three months and where it is not possible to dispose of a case within three months, the reasons for the same shall be recorded in writing.”.

12. Section 21 of the principal Act shall be omitted.

Amend-
ment of
section
20.

Insertion
of new
section
20B.

Adequate
number
of
magis-
trates
and
period
of dis-
posal of
cases.

Omission
of section
21.

STATEMENT OF OBJECTS AND REASONS

It is a matter of serious concern that articles of daily consumption are being adulterated. The menace of food adulteration has now assumed alarming proportions involving grave risks to public health. In fact, the adulterators run a parallel industry and trade in the country as no commodity eatable or non-eatable was free from adulteration. Particularly in urban areas this evil is more rampant.

The inspectors of the Delhi Municipal Corporation collected 65 samples or 'besan' from the market, both from the wholesalers and retailers, during the period from the 1st June, 1973 to 30th July, 1973. It is surprising that 42 of the 65 samples were found adulterated with 'Kesari Dal' and two with insect infestation. The extent of adulteration ranged from 5 per cent. to 80 per cent. The experts are of the view that the excessive consumption of 'Kesari Dal' for prolonged period causes "lathyrism" which is a neurological disorder characterised by paralysis and particularly affects young adults.

No less than 68.2 per cent. of all food samples tested in Orissa and 47.2 per cent. in Rajasthan have been found to be adulterated by official agencies.

Dr. P. K. Kymal, Executive Director, Food and Nutrition, Ministry of Agriculture revealed the following common adulterants in food-stuffs:

Coffee and tea—coaltar dyes, date husk, black gram husk, grit, saw dust, waste products etc.

Milk—abstraction of fat, addition of water, starch, coaltar dyes and sale of diluted buffalo milk as cow milk.

Butter—admixture with animal body fat, vanaspati, addition of preservatives, coaltar colours and foreign vegetable colours.

Khoya—starch.

Ghee—excess moisture, vegetable oil, animal body fat, vanaspati, mineral oil and rancid stuff.

Edible oils—rancid stuff, cheaper oils, oil soluble dyes and mineral oils.

The spiralling prices, the shortages and the opportunities to make quick money in the black market were responsible for such excessive adulteration. Added to this socio-economic climate were the lacunae in implementing laws, the absence of deterrent punishments, the inadequacy of staff, particularly of food Inspectors and lack of technical facilities like laboratory tests. These weaknesses of the Government were being fully exploited by the unscrupulous manufacturers and traders. Delays in prosecution and disposal of cases due to inadequate number of magis-

trates and lack of powers with them to hand out severe punishments to the guilty have also helped in increasing the evil of adulteration.

It is necessary to curb this evil practice with an iron hand. Food adulteration is a heinous crime as it not only plays with the health of the citizens but also leads to number of deaths in some cases and to disablement in certain other cases. A food adulterator is more dangerous to the society than a murderer. He commits so many murders unnoticed by adulterating food articles. The law must, therefore, provide for a deterrent punishment like death penalty or life imprisonment in certain cases of food aduteration and severe punishment in other cases. Apart from deterrent punishment, plugging the loop-holes in the working of the existing Act and making provisions for its effective implementation is of urgent necessity.

Hence this Bill.

NEW DELHI;
The 22nd December, 1973,

VISHWANATH PRATAP SINGH.

FINANCIAL MEMORANDUM

Clauses 2, 5, 8 and 11 of the Bill are likely to involve expenditure on account of the working of sub-committees, establishment of Food Laboratories, appointment of adequate number of Food Inspectors, giving publicity to the offenders under the Act, and appointment of magistrates for trying cases of food adulteration, at least in respect of the Union territories. Grants-in-aid may also be made by the Central Government to the State Governments for implementation of these provisions. The Bill, therefore, if enacted, is likely to involve a recurring expenditure of about rupees fifty lakhs from the Consolidated Fund of India.

A non-recurring expenditure of about rupees ten crores is also likely to be involved from the Consolidated Fund of India.

BILL NO. 1 OF 1974

A Bill further to amend the All-India Services Act, 1951

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the All-India Services (Amendment) Act, 1974.

(2) It shall come into force at once.

Short
title
and
commen-
cement.

91 of 1981.

2. After section 2A of the All-India Services Act, 1951, the following new sections shall be inserted, namely:—

Insertion of
new
sections
2B, 2C,
2D, 2E,
2F, 2G,
2H and
2I.

“2B. It shall be the special responsibility and the duty of a member of an all-India Service to ensure that the plans or projects or any development work under his jurisdiction or charge or administrative control or for the execution or completion or carrying out of which he is responsible in any way, are executed or completed or carried out efficiently, economically and within the scheduled time.

Special
responsi-
bility and
duty of
an
officer
towards
plans or
prospects,
etc.

Evaluation of performance and preparation of annual performance report.

Annual resume of work of an officer to form part of confidential record.

Manner of preparation of performance report and special mention of any delay due to negligence, etc.

Action against an officer guilty of negligence or inefficiency.

Basis for promotion

2C. Notwithstanding anything in this Act, at the end of every year, the performance of every member of an all-India Service shall be evaluated, with particular reference to the execution or carrying out of the specific plans, projects or development works under him or in his charge or administrative control or for the execution or carrying out of which he is responsible in any way, and a performance report prepared.

2D. For the purpose of evaluating the performance of an officer of an all-India Service under section 2C, the officer to be reported upon shall submit to the reporting officer, at the end of each year, a brief resume, not exceeding three hundred words, of the work done by him during the year under review, bringing out his special achievement, if any, and the resume so submitted shall form part of the confidential record of the officer.

2E. (1) The reporting officer shall take due note of the resume while preparing the performance report and shall, after making his own assessment of and comments on the work of the officer, submit the report along with the entire record to the next higher officer, namely, the reviewing officer who shall add his own comments, if any.

(2) The reporting officer shall make a special mention of any delay or set back in the execution or carrying out of the specific plans, projects or development works under the charge or administrative control of the officer reported upon due to the negligence or inefficiency of such officer.

(3) The annual performance reports shall form part of the confidential record of the officer.

2F. Where as a result of annual evaluation of the performance of an officer it is found that the work under him has suffered or has been delayed due to the negligence or inefficiency of the officer, he shall be called upon to explain such negligence or inefficiency and delay and suitable action against the officer shall be taken if found guilty.

2G. The annual performance reports shall form the basis while considering a member of an all-India Service for promotion to higher post or grade.

2H. (1) A special evaluation of the performance of every member of an all-India Service shall be made after the completion of every five years of his service and the special report submitted within three months thereof, for the purpose of considering his suitability for retaining in the service.

Special
evalua-
tion for
retain-
ing in
service.

(2) The annual performance reports for the five years under review shall be taken into consideration for the purpose of special evaluation under sub-section (1).

21. If a member of an all-India Service earns an adverse report twice consecutively, as a result of special evaluation under section 2H, his services shall be terminated."

Termi-
nation of
service.

STATEMENT OF OBJECTS AND REASONS

Removal of poverty and attainment of economic self-reliance are the two major tasks before the country. After independence, therefore, the country embarked upon a programme of development weighted in favour of basic industries, agriculture and social services. But poverty is still a major problem. Large numbers of our people are still living below the poverty level. Our planning, in fact, has failed to make a major dent on poverty. One reason for this failure has been the inadequate rate of growth. The actual performance of the economy in the various Five Year Plans, particularly, in the Fourth Plan period, shows a substantial shortfall in the achievement of targets fixed in various sectors of economy. One of the main reasons for shortfall in achieving the targets has been the faulty and leisurely implementation of the Plans and execution of programmes and projects. In majority of cases the execution of projects and development works and completion of works under public undertakings have taken a much longer period than envisaged. The compulsions of the present situation make it necessary to accelerate the pace of implementation in the Fifth Plan.

To accelerate the pace of progress and to achieve the Plan targets it is necessary that administrators or the persons responsible for implementation of projects should be made accountable for results.

Officers of all-India Services, particularly the officers of the Indian Administrative Service and the Indian Service of Engineers, have been entrusted, in one way or other, the task of implementation of our Plans. But, the pace of implementation of Plans and management of public sector undertakings has shown that much more was expected of these officers. In fact, they should be made accountable for the results, if at all the implementation of Plans and rate of growth is to be accelerated. For this purpose, it is necessary that a provision is made in the all-India Services Act, 1951 for yearly evaluation of performance of every member of an all-India Service in relation to the execution or carrying out of specific plans, projects or development works under his charge or with which he is associated in an executive capacity, and for fixing his responsibility for any delay or set back in the execution of plans or projects or for any mismanagement, etc. due to his negligence or inefficiency.

The Administrative Reforms Commission in its Report on Personnel Administration presented to the Government on the 18th April, 1969 had recommended for evaluation of the performance of officers and, with that object in view, had suggested for preparation of annual performance report of every officer after taking due note of the resume to be submitted by the officer, whose performance is under review, at the end of each year giving a brief account of work done by him and bringing out his special achievements, if any, during that year. It was recommended that the annual performance reports should form part of the confidential record of the officer.

The annual performance reports should be given due weight while considering a member of an all-India Service for promotion to a higher post. Special evaluation should be made after every five years keeping in view also the annual performance reports and if an officer earns an adverse report twice consecutively as a result of such special evaluation, his services should be terminated. Such a provision would go a long way in accelerating the implementation of Plans and achieving a higher rate of growth of our economy.

Hence this Bill.

NEW DELHI;

VISHWANATH PRATAP SINGH.

The 22nd December, 1973.

BILL No. 31 OF 1974

A Bill to amend the Homoeopathy Central Council Act, 1973

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short
title
and
commen-
cement,

1. (1) This Act may be called the Homoeopathy Central Council (Amendment) Act, 1974.

(2) It shall come into force at once.

Amend-
ment of
section 2.

2. In section 2 of the Homoeopathy Central Council Act, 1973, for clause (d), the following clause shall be substituted, namely:—

‘(d) “Homoeopathy” means the system of medicine founded by Dr. Samuel Hahnemann and also the Homoeopathic system of medicine which includes the use of Biochemic remedies.’.

STATEMENT OF OBJECTS AND REASONS

Homoeopathy is practised in India on two lines these days; one is strictly on Hahnemanian lines and the other which includes the use of biochemic remedies. The present definition of Homoeopathy in the Homoeopathy Central Council Act, 1973 provides opportunities of development to only one of the two systems prevalent in India. It is, therefore, necessary to amend the definition in order that the other system also gets equal opportunities to develop.

Hence this Bill.

NEW DELHI;
The 6th March, 1974.

HARI SINGH.

BILL No. 35 of 1974

A Bill to amend the Homoeopathy Central Council Act, 1973

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

- | | |
|-------------------------|--|
| Short title. | 1. This Act may be called the Homoeopathy Central Council (Amendment) Act, 1974. |
| Amendment of section 2. | 2. In section 2 of the Homoeopathy Central Council Act, 1973 (hereinafter referred to as the principal Act), in sub-section (1), in clause (g), the words "or the Third" shall be omitted. |
| Amendment of section 5. | 3. In sub-section (1) of section 5 of the principal Act, the words "or the Third" shall be omitted. |

59 of 1973.

-
- | | |
|---|--|
| 4. Section 14 of the principal Act shall be omitted. | Ommis- sion of sec- tion 14. |
| 5. In section 15 of the principal Act, in sub-section (1), the words "or the Third" shall be omitted. | Amend- ment of section 15. |
| 6. The Third Schedule to the principal Act shall be omitted. | Ommis- sion of Third Sche- dule. |

STATEMENT OF OBJECTS AND REASONS

The Third Schedule to the Homoeopathy Central Council Act, 1973 is to be deleted because in England and other countries these certificates are awarded to qualified Allopaths alone after some lectures of no consequence to Homoeopathy.

In India the system of Homoeopathy education is quite different. In fact, the Homoeopathy science differs basically from Allopathic science. So, there cannot be any reciprocity in this field with other countries.

Homoeopaths with certificates from other countries have so far deplored and degenerated this Homoeopathy science.

Hence this Bill.

NEW DELHI;
The 6th March, 1974.

M. C. DAGA.

BILL No. 34 OF 1974***A Bill to amend the Homoeopathy Central Council Act, 1973***

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Homoeopathy Central Council (Amendment) Act, 1974.

(2) It shall come into force at once.

2. In the Second Schedule to the Homoeopathy Central Council Act, 1973, under the heading Uttar Pradesh, after entry 16, the following new entry shall be inserted namely:—

**"16A. Hahnemannian
Medical College,
Moradabad**

**Diploma in
Homoeopathic
Medicine**

D.H.M.

**From 1908
to 1939."**

**Short
title and
com-
mence-
ment.**

**Amend-
ment of
Second
Sche-
dule.**

STATEMENT OF OBJECTS AND REASONS

The Hahnemannian Medical College at Moradabad was a registered institution under Government Act XVI of 1908 and it had been issuing diplomas after imparting training in Homoeopathy from Hospital to Theory as recommended by the founder Dr. Samuel Hahnemann in his organon of medicines upto 1939 at least. Non-inclusion of this institution in the second schedule deprives hundreds of its diploma holders of the legitimate rights and privileges which otherwise they are entitled to.

Hence this Bill.

NEW DELHI;
The 6th March, 1974.

M. C. DAGA.

BILL No. 33 OF 1974

A Bill further to amend the Code of Civil Procedure, 1908

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Code of Civil Procedure (Amendment) Act, 1974. Short title.

2. In section 80 of the Code of Civil Procedure, 1908 (hereinafter referred to as the principal Act), after the words "No suit", the words, figures and letter "except as provided in section 80A" shall be inserted. Amendment of section 80.

Insertion of section 80A.

3. After section 80 of the principal Act, the following new section shall be inserted, namely:—

Exemption from notice in certain cases.

"80A. A suit may be instituted against the Government (including the Government of the State of Jammu and Kashmir) or against a public officer in respect of any act purporting to be done by such public officer in his official capacity without any prior notice, as provided under section 80, in emergent cases where the subject matter of dispute or the right to property is threatened to be destroyed by such act and an interim order of interlocutory nature is urgently required to render possible protection to the individual till final disposal of the suit."

STATEMENT OF OBJECTS AND REASONS

Section 80 of the Code of Civil Procedure, 1908 requires that two months' notice be given before a suit is instituted against Government or against any public officer with the object of giving opportunity to the Government to settle the claim so that the cost of litigation can be saved. But several High Courts and the Supreme Court in several cases have decided that this provision is mandatory. So, in many cases, Government officers have demolished many houses constructed by poor landless Harijans on Government land treating it as a case of trespass. In majority of cases they do not come forward to settle up the claim. In such cases a poor citizen is deprived of his right to take recourse to legal remedies in a court of law to protect his property from being demolished as he cannot institute a suit and obtain injunction order against such acts of the Government without two months' prior notice.

So, it is urgently necessary that a citizen must have the right to institute a suit without notice where his property or right to property is threatened.

Hence, section 80 should not be made mandatory. In appropriate cases, the citizen should have the right to institute a suit against Government without prior notice in order to protect his property and right to property. To remove this difficulty, this amendment is proposed.

NEW DELHI;
The 14th March, 1974.

D. K. PANDA.

S. L. SHAKDHER,
Secretary-General.

